

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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ROBERTO MARTINEZ,

Petitioner,

v.

DAVID ORTIZ,

Respondent.

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Civ. No. 16-5296 (RBK)

**MEMORANDUM AND ORDER**

Petitioner is a federal prisoner currently incarcerated at F.C.I. Fort Dix in Fort Dix, New Jersey. He is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner has not paid the filing fee nor has he submitted an application to proceed *in forma pauperis*. Therefore, this matter will be administratively terminated. Petitioner shall have the chance to reopen this action if he either pays the \$5.00 filing fee or files a complete application to proceed *in forma pauperis* on the form supplied by the Clerk that accompanies this Order within thirty (30) days.

Therefore, IT IS this 7<sup>th</sup> day of September, 2016,

ORDERED that the Clerk shall administratively terminate this case for petitioner's failure to pay the requisite filing fee of \$5.00 or submit a complete application to proceed *in forma pauperis* on the form supplied by the Clerk, and it is further

ORDERED that if petitioner wishes to reopen this action, he shall notify the Court within thirty (30) days of the date of entry of this order, in writing; petitioner's writing shall include either a complete and signed *in forma pauperis* application or the \$5.00 filing fee; and it is further

ORDERED that the Clerk shall serve a copy of this Order and a blank form application to proceed *in forma pauperis* by a prisoner in a habeas corpus case to petitioner by regular U.S. mail.

s/Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge